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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* NAMIT JAIN,  
NIPUN AGARWAL,  
and RAVI MURTHY

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Appeal 2009-005195  
Application 10/648,600  
Technology Center 2100

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Decided: May 28, 2010

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Before JOHN A. JEFFERY, JOSEPH L. DIXON, and  
HOWARD B. BLANKENSHIP, *Administrative Patent Judges*.

BLANKENSHIP, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

This is an appeal under 35 U.S.C. § 134(a) from the Examiner's final rejection of claims 1-26, which are all the claims in the application. We have jurisdiction under 35 U.S.C. § 6(b).

We reverse.

*Representative Claims*

1. A method of storing data into a database, the method comprising:
  - a client application receiving data;
  - determining one or more routines that are associated with a type of said data, wherein said one or more routines are implemented by a program that is external to both said client application and a database server that manages said database;
  - invoking said one or more routines;
  - in response to said one or more routines being invoked, said program performing steps comprising:
    - determining one or more first values that are specified in said data, wherein said one or more first values correspond to one or more attributes of said type;
    - and
    - determining one or more second values that correspond to one or more hidden columns of one or more tables in said database;
    - generating, based on said one or more first values and said one or more second values, a data stream that conforms to a format of data blocks of said database; and
    - writing said data into one or more data blocks in said database.

12. A method of storing data into a database, the method comprising:

a client application receiving data that conforms to a first type definition that indicates two or more first attributes, wherein at least one of said two or more first attributes is of a type that is defined by a second type definition that indicates two or more second attributes;

determining one or more first routines that are associated with said first type definition, wherein said one or more first routines are external to both said client application and a database server that manages said database;

calling said one or more first routines;

in response to one or more calls to said one or more first routines;

creating a first data structure with two or more first elements that correspond to said two or more first attributes; and

populating said two or more first elements with two or more first values that are specified in said data, wherein said two or more first values correspond to said two or more first attributes;

calling one or more second routines that are associated with said second type definition;

in response to one or more calls to said one or more second routines

creating a second data structure with two or more second elements that correspond to said two or more second attributes; and

populating said two or more second elements with two or more second values that are specified in said data, wherein said two or more second values correspond to said two or more second attributes;

generating, based on said first data structure and said second data structure, a data stream that conforms to a format of data blocks of said database; and

writing said data into one or more data blocks in said database.

#### *Examiner's Rejections*

Claims 1-26 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Skinner (U.S. 6,085,198).

#### ISSUES

(1) Have Appellants shown that the Examiner erred in finding that Skinner discloses hidden columns as recited in claim 1?

(2) Have Appellants shown that the Examiner erred in finding that Skinner discloses “a client application receiving data that conforms to a first type definition that indicates two or more first attributes, wherein at least one of said two or more first attributes is of a type that is defined by a second type definition that indicates two or more second attributes” as recited in claim 12?

## PRINCIPLES OF LAW

The allocation of burdens requires that the USPTO produce the factual basis for its rejection of an application under 35 U.S.C. §§ 102 and 103. *In re Piasecki*, 745 F.2d 1468, 1472 (Fed. Cir. 1984) (citing *In re Warner*, 379 F.2d 1011, 1016 (CCPA 1967)). The one who bears the initial burden of presenting a prima facie case of unpatentability is the Examiner. *In re Oetiker*, 977 F.2d 1443, 1445 (Fed. Cir. 1992).

## ANALYSIS

### *Rejection of claims 1-11 and 14-24 under 35 U.S.C. § 102(b)*

The Examiner reads the “hidden columns” of claim 1 on Skinner at column 20, lines 24 through 27 of the reference. Ans. 4. Skinner at the indicated text describes a MetaMember 502 (Fig. 5A) that comprises an integer data structure containing “myPrivateFlag,” which describes the private and protected state of the class element described by MetaMember 502.

According to the Examiner, Appellants’ Specification at paragraph [0040] indicates that the hidden status of a column is relative to the user’s point of view. The Examiner finds that Skinner describes private data that is not displayed to a user lacking permission to access the private data. The Examiner concludes that, from the user’s point of view, “this is indistinguishable from hiding the columns at the database level.” Ans. 10.

However, a hidden column is a column storing values that are not visible to a user when the database table that contains the hidden columns is queried. Spec. ¶ [0040]. The Specification further distinguishes hidden

columns from user-visible columns. *Id.*, ¶ [0048]. The Examiner has not shown that Skinner describes a database with columns having values that are not visible to a user when the database is queried, but only seems to postulate that a user would not know the difference between values in hidden columns and data for which the user lacks permission to access.

Moreover, the rejection fails to show how MetaMember 502 and an integer data structure containing a flag that describes the private and protected state of the class element described by the MetaMember might anticipate the “hidden columns” of claim 1.

We find that the evidentiary basis for the rejection of claim 1 as being anticipated by Skinner is lacking. Therefore, we cannot sustain the rejection of the claim under 35 U.S.C. § 102(b). Because claims 2-11 and 14-24 incorporate the limitations of claim 1, we also do not sustain the rejection of claims 2-11 and 14-24 under 35 U.S.C. § 102(b).

*Rejection of claims 12, 13, 25, and 26 under 35 U.S.C. § 102(b)*

Claim 12 recites “a client application receiving data that conforms to a first type definition that indicates two or more first attributes, wherein at least one of said two or more first attributes is of a type that is defined by a second type definition that indicates two or more second attributes.” The Examiner points to material in the reference that is deemed to anticipate the claimed subject matter (Ans. 7), but appears to interpret the claim 12 recitation as merely requiring that “one type is ‘indicated’ from another type.” *Id.* at 11. The Examiner seems to analogize the claim 12 recitation to a parent/child relationship. *Id.*

In any event, the material deemed to anticipate the above-quoted recitation of claim 12 consists of an element from Figure 3, a step from Figure 4, and text at column 16 that appears to describe metadata structures, a schema, and extracting metadata for data classes from the schema. Ans. 7; Skinner Fig. 3, element 305B, Fig. 4, step 400, col. 16, ll. 14-30 and 48-49. The statement of the rejection does not specify what the “client application” may be. The relied-upon text of Skinner does contain the word “attribute.” “The metadata describes the elements of each data class in terms of, for example, *attribute* and method names, parameters, data types, inter-class relationships, etc.” Skinner col. 16, ll. 15-18 (emphasis added).

The Examiner has not provided an explanation sufficient to demonstrate that one of ordinary skill in the art would understand Skinner to describe “a client application receiving data that conforms to a first type definition that indicates two or more first attributes, wherein at least one of said two or more first attributes is of a type that is defined by a second type definition that indicates two or more second attributes” as claimed.

We thus do not sustain the rejection of claim 12 under 35 U.S.C. § 102(b). Because claims 13, 25, and 26 incorporate the limitations of claim 12, we also do not sustain the rejection of claims 13, 25, and 26 under 35 U.S.C. § 102(b).

#### CONCLUSIONS OF LAW

(1) Appellants have shown that the Examiner erred in finding that Skinner discloses hidden columns as recited in claim 1.

(2) Appellants have shown that the Examiner erred in finding that Skinner discloses “a client application receiving data that conforms to a first



type definition that indicates two or more first attributes, wherein at least one of said two or more first attributes is of a type that is defined by a second type definition that indicates two or more second attributes” as recited in claim 12.

### DECISION

The rejection of claims 1-26 under 35 U.S.C. § 102(b) as being anticipated by Skinner is reversed.

REVERSED

msc

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